



DECLARATION FOR PATENT APPLICATION

#6
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OFFICE OF PETITIONS

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ***System and Method for Auto-Configuration of a DSL Modem***, the specification of which

☐ is attached hereto.

☒ was filed on September 22, 2000 as Application Serial No. 09/668,623 and was amended on _____. (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Date Filed)

Yes ☐

No ☐

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

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(Application Serial No.)

(Filing Date)

Direct all telephone calls to William S. Galliani at (650) 493-4935. Address all correspondence to:

PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, CA 94304

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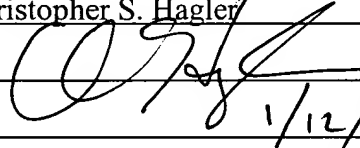
File No. 10547-011-999

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:

Christopher S. Hagler

Inventor's signature:



Date:

1/12/2001

Residence:

565 South Road, Belmont, CA 94002

Citizenship:

U.S.

Post Office Address:

565 South Road

Belmont, CA 94002

Full name of second joint inventor, if any:

Adam Powers

Inventor's signature:

Date:

Residence:

630 Park View, Apt. 108, Santa Clara, CA 95054

Citizenship:

Post Office Address:

630 Park View, Apt. 108

Santa Clara, CA 95054



Express Mail No. EL 451 596 512 US

RECORDATION FORM COVER SHEET

PATENTS ONLY

Attorney Docket Number 10547-011-999

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

Box Assignment
Washington, DC 20231

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Christopher S. Hagler

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Security Agreement

☐ Other

☐ Merger

☐ Change of Name

Execution Date: 1/12/01

2. Name and address of receiving party(ies):

Name: Telocity Delaware, Inc.

Address: 10355 N. De Anza Blvd.

Cupertino, CA 95014-2027

Country (if other than USA):

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/668,623

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Dion M. Bregman
PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, CA 94304

6. Number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00

Please charge to the deposit account listed in Section 8.

8. Deposit account number:

16-1150 (order no. 10547-011-999)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Dion M. Bregman

45,645

for Thomas D. Kohler

32,797

Name of Person Signing

Reg. No.

Signature

April 3, 2001

Date

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ASSIGNMENT

WHEREAS WE, Christopher S. Hagler of Belmont, California and Adam Powers of Santa Clara, California have invented certain new and useful improvements in a **System and Method for Auto-Configuration of a DSL Modem**, for which invention we have executed an application for Letters Patent of the United States and which application may be identified in the United States Patent and Trademark Office as Serial No. 09/668,623, filed September 22, 2000; and

Whereas, **Telocity Delaware, Inc.**, a corporation of the State of **Delaware**, having its principal place of business at **10355 N. De Anza Blvd., Cupertino, CA 95014-2027** (hereinafter referred to as assignee) is desirous of acquiring the entire right, title, and interest in and to said invention, said application and the Letters Patent to be obtained therefore;

Now, therefore, for and in consideration of One Dollar and other good and valuable considerations, to us in hand paid, the receipt and sufficiency whereof are hereby acknowledged, we have sold assigned, and set over and by these presents do hereby sell, assign, and set over unto said assignee and said assignee's legal representatives, successors and assigns, the entire right, title, and interest in and to said invention, said application, and the Letters Patent, both foreign and domestic, that may or shall issue thereon; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned assignee agreeably with the terms of this assignment.

We hereby authorize the above-mentioned assignee or its legal representative to insert in this instrument the filing date and serial number of our said application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Upon said consideration, we convey to said assignee the right to make application in its own behalf for protection of said invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of said United States application (or other application if any there be) in priority to other applications; and we do hereby covenant and agree with the said assignee that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we will at any time upon request, without further or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional renewal, reissued or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such application or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of both parties.

Date: 1/12/2001

By: _____


Christopher S. Hagler

Date: _____

By: _____

Adam Powers